



Snohomish County Council

Committee: Planning and Community Development

Analyst: Ryan Countryman

ECAF: 2023-0555

Proposal: Ordinance 23-051

Date: May 16, 2023

Consideration

Proposed Ordinance 23-051 would establish a temporary housing demonstration program in the Rural 5-acre (R-5) zone. This program would allow attached housing in some areas with R-5 in exchange for protecting larger open space tracts than is typically the case for rural development. Called the *Rural Village Housing Demonstration Program* (RVHDP or program), the RVHDP would be a new chapter SCC 30.41H in Snohomish County Code (SCC) and would also a new section for permit fees in Chapter 30.86 SCC.

Background and Analysis

Origin of the RVHDP. The RVHDP has some of its origins in County Council [Motion 21-308](#) which included a proposal to modify the Development Agreement process outlined in chapter 30.75 SCC. Motion 21-308, sponsored by Councilmember Nehring, proposed to create flexibility for several scenarios where prospective applicants had ideas consistent with policy but not with code. It also directed council staff to work with other county departments to refine the proposal before presenting it to the Planning Commission for a recommendation. That collaboration between departments led to two conclusions. First, that the development agreement process might not be the best way to achieve the desired flexibility. Second, the breadth of the intended flexibility was unwieldy and difficult to implement. In discussing possible alternative directions to achieve the desired outcome, PDS suggested consideration of a demonstration program to provide and test some of the intended flexibility in rural areas.

Other aspects of the RVHDP concept comes from a request for a pre-application review received by PDS under file 21-108030 PA. The narrative for the proposal described a potential development application as a hybrid of a rural cluster subdivision and a farm conservation community on land zoned Rural-5 acre (outside of GMA designated commercial farmland). The property in question is currently a dairy farm. Rather than develop as a standard rural cluster subdivision that would preclude further agricultural use of the site and increase impacts to the natural environment and rural character, the project in file 21-108030 PA sought a way to allow the same number of units as a standard rural cluster subdivision but in a much tighter arrangement. Instead of building typical detached housing, the proposal included a co-housing project to help “set up an incubator system for those wanting to get into farming.”

Farmland preservation is a key concept in Snohomish County [Executive Order 18-02](#), which also provides general support for the RVHDP. This order notes that “we are losing productive farmland each year through conversion to non-farming land uses” and that “Snohomish County is dedicated to achieving outcomes that preserve and enhance agriculture.” The order then goes on to direct county departments to develop strategies that reduce the conversion of agricultural land to other uses. The RVHDP is one way to do that for upland farmland sites zoned Rural-5 acre but not designated commercial farmland within the County’s GMA Comprehensive Plan.

The proposed program is about more than just preserving agriculture. As described below, RVHDP could apply to the preservation of working forests. It also provides more options for housing types that are usually at a lower price level than the detached single-family homes more often built in rural areas.

Demonstration Programs. Prospective development applicants sometimes approach the County with unconventional ideas that fit the intent of adopted policies but conflict with the specific code requirements. Usually, applicants revise their plans to conform to existing code requirements. This leaves potential innovations untested. Sometimes ideas brought to the County inspire targeted code amendments that would then allow the proposal. Other proposals are so different that they would require new mechanisms for authorization.

Demonstration programs are one way to test new ideas. These are temporary mechanisms that would allow authorization of substantially new types of development in a limited setting. Snohomish County has authorized three previous demonstration programs to help test and improve development regulations since adoption of the Growth Management Act (GMA).

- Housing Demonstration Program (1995 to 1997). This program allowed flexibility in design standards and uses in urban areas. Two projects constructed under the program have smaller lots and narrower private roads than were typical of the time. Both features are now part of permanent zoning regulations. A third project was a large Planned Residential Development (PRD) that combined a variety of housing types previously not allowed, plus a day care facility. The housing types are now part of the PRD regulations, but the day care facility is not.
- Reduced Drainage Discharge Program (RDDP) (2000 to 2014). This program allowed applicants to propose changes to standards such as road width and lot size to allow for more infiltration of rainwater into the ground. Experimentation under the RDDP helped inform the permanent low impact development regulations that are now in county code and the Engineering Design and Development Standards.
- Urban Center Demonstration Program (UCDP) (2001 to 2010). This program allowed taller buildings and more density in areas identified for high-capacity transit investment. It also required all mixed-use development for all projects authorized under the UCDP. When permanent urban center regulations replaced the UCDP, the

new code retained most of the height and density allowances but dropped the mixed-use requirement because it proved unworkable in some settings.

The Rural Village Housing Demonstration Program would continue the tradition of allowing innovative development proposals, but only in a limited rural context. The outcome of a demonstration program could result in adoption of future code amendments based on lessons learned, or the program could expire without making lasting changes.

Proposed Code Amendments. The Rural Village Housing Demonstration Program would be in a new chapter 30.41H of Snohomish County Code. Major features of the proposed program are:

1. Allowing attached housing with up to four units per building in exchange for preserving a minimum of 85% of the site in large open space tracts that preserve rural character, working farm, or forest land.
2. Applying only to sites with at least 100 acres of R-5 zoning under the same ownership.
3. Prohibited on R-5 zoned properties located within the boundaries of the Tulalip Reservation, designated as Local Commercial Farmland, or designated within the Rural to Urban Transition Area overlay on the Future Land Use Map.
4. The minimum 85% open space would preserve resource-based activities such as agricultural production and working forest lands, critical areas and buffers, and other listed uses that contribute to rural character.
5. Housing in the RVHDP would need to be tightly clustered in groups of 10 to 40 homes that are setback from nearby roads, properties, and natural resource lands.
6. The maximum number of homes in an RVHDP project would be the same as conventional rural cluster subdivision provisions allow.
7. RVHDP projects would require restrictive covenants and a management plan to ensure long-term protection and maintenance open space tracts and the upkeep of landscaping, storm drainage facilities and other private improvements.
8. RVHDP projects would be required to connect to a public water supply.
9. Applicants would have two years to submit proposals under the RVHDP. They would then have four years to receive approval. The program would sunset (expire) after six years unless re-authorized by the County Council.

Analysis

This staff report provides its analysis in the form of four attachments.

Attachment A includes a section-by-section analysis of each proposed section in chapter 30.41H SCC and of a proposed new section in chapter 30.86 SCC that would provide for new fees associated with the program.

Attachment B includes discussion of housing affordability. The Growth Management Act (GMA) requires counties to plan for and accommodate housing that is affordable to all economic segments. The legislature amended the GMA in 2021 to strengthen this requirement. Attached housing is generally more affordable than detached housing. The RVHDP would allow attached housing with up to four units per building in areas where code currently only allows single-family homes, duplexes, and manufactured housing.

Attachment D addresses rural character. GMA requires counties to maintain rural character outside of urban growth areas. Rural character is both an abstraction and a term specifically defined in GMA at RCW 36.70A.030(23). The GMA definition includes seven parts that together establish a pattern of rural land use and character. The RVHDP proposal seeks to satisfy all seven parts of what it means to provide rural character. However, as detailed in Attachment C, the proposal would clearly result in consistency with only four of the seven parts of the GMA definition. The three remaining parts are subject to interpretation. The ordinance includes amendments made by the Planning Commission that satisfy the commission's interpretation of consistency with rural character.

Attachment D discusses specific policies relevant to the proposal. New land use initiatives such as the RVHDP need to implement existing policies. This attachment demonstrates how the program is consistent with existing policy direction.

Current Proposal

Summary: Ordinance 23-051 would establish a Rural Village Housing Demonstration program that could be used on eligible sites with R-5 zoning.

Fiscal Implications: None

Deadlines: None

Handling: Normal

Planning Commission: Approve

Executive Recommendation: Approve

Approved as to Form: Yes

Request: Move to General Legislative Session May 24 to set time and date for a public hearing.

Attachment A: Section-by-Section Analysis of Proposed Code

The Rural Village Housing Demonstration Program would be in a new chapter 30.41H of Snohomish County Code and it would add a new section to chapter 30.86 SCC regarding fees for the program. What follows is a brief description of each section and then the proposed language for that section.

SCC 30.41H.010 Purpose.

This section would state the main purposes of the new chapter.

30.41H.010 Purpose.

The purpose of this chapter is to:

- (1) Provide an innovative technique to achieve a variety of rural densities by balancing non-traditional residential dwelling types in rural areas zoned Rural-5 Acre (R-5) with open space preservation, resource-based activities and production, and maintenance of the surrounding rural character;
- (2) Reduce the footprint of rural residential development and impervious surfaces;
- and
- (3) Assure visual compatibility of rural development with the surrounding rural area.

SCC 30.41H.020 Applicability and eligibility.

This section would allow the program on sites in R-5 zoning subject to limitations in Subsections (1) and (2). Subsection (3) requires submittal of an application no later than two years from the effective date of the ordinance and gives an applicant four years to obtain approval for the site plan. Subsection (4) says that if construction is commenced within five years of approval, approved site plans remain in effect. Subsection (5) addresses how potential conflicts between the program and other chapters of code.

30.41H.020 Applicability and eligibility.

- (1) The provisions in this chapter apply to all properties zoned R-5, except for R-5 zoned properties located within the boundaries of the Tulalip Reservation, designated Local Commercial Farmland in the comprehensive plan, or designated within the Rural/Urban Transition Area overlay in the comprehensive plan.
- (2) The site for a rural village housing demonstration program development shall be a minimum of 100 contiguous acres under the same ownership or control prior to the effective date of this chapter. For purposes of this chapter, "contiguous acres" are those acres that are physically contiguous and do not include sites with two or more lobes of land that are connected by an area less than 100 feet wide, which absent such connection would be discontinuous.
- (3) Applications for a rural village housing demonstration program development shall be submitted no later than two years after the effective date of this chapter. Applications under the program shall expire four years after submittal unless approval has been obtained.

(4) Approved applications shall commence construction within five years of receiving approval, otherwise the approved application shall expire. The department may grant a one-time two-year extension of an approved application. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.150. Approved site plans for which construction has commenced shall remain in effect after chapter 30.41H SCC has been repealed.

(5) Rural village housing demonstration program developments shall comply with all applicable provisions of title 30 SCC, except as modified in this chapter. Where there is a conflict between a provision of this chapter and a provision in another chapter in this title, the provisions of this chapter shall apply.

SCC 30.41H.030 Permitted uses.

This section adds dwellings with up to four units when part of a RVHDP application to the existing list of permitted uses in R-5 zoning. The specific dwelling uses allowed by Subsection (2) are otherwise not permitted in R-5 zoning in [Table 30.22.110 SCC](#) (rural and resource zone categories use matrix), so the only way to propose those dwelling types in the R-5 zone is by using the RVHDP.

30.41H.030 Permitted uses.

A rural village housing demonstration program development may include the following uses:

- (1) All permitted and conditional uses allowed in the R-5 zone under SCC 30.22.110; and
- (2) The following residential uses in the R-5 zone with a maximum of four units per building:
 - (a) Dwelling, attached single family;
 - (b) Dwelling, multiple family; and
 - (c) Dwelling, townhouse.

SCC 30.41H.040 Procedure.

This section establishes the process for reviewing RVHDP applications. As proposed, review of a site plan for the new program would be concurrent with a preliminary subdivision application. The subdivision would create lots, roads, and open space tracts while the site plan would show where buildings and other uses would go on those lots. RVHDP applications would fall under a Type 2 process. This requires that the Hearing Examiner hold a public hearing on the project before issuing a decision.

30.41H.040 Procedure.

- (1) Rural village housing demonstration program development applications shall:
 - (a) Be processed as a Type 2 application and site plan decision under chapter 30.72 SCC; and
 - (b) Be submitted concurrently with a preliminary subdivision application under chapter 30.41A SCC.
- (2) The relationship between a rural village housing demonstration site plan and preliminary subdivision application shall be as follows:
 - (a) The preliminary subdivision shall show the proposed lots, tracts, roads, easements, dedications, calculations and restrictions necessary for the general layout and

phasing of the site to be recorded on a final plat following approval; and

(b) The site plan for the rural village housing demonstration program development application shall show features of the proposed site design such as proposed building placement, landscaping, designated resource lands or uses, location of utilities, and parking areas that are not necessary for the approval of a preliminary subdivision but would be necessary for compliance with this chapter.

(3) Revisions to an approved rural village housing demonstration program development application shall be processed pursuant to SCC 30.70.210 - .230.

SCC 30.41H.050 Approval criteria.

This section establishes the approval criteria for RVHDP applications. To be approved, several subsections would need to be satisfied. Subsection (1) requires that the concurrent subdivision must also be approvable. Subsection (2) requires that the RVHDP application itself must meet the purpose of the program. Subsection (3) requires an application to show how it meets the performance standards in place for the program. Subsection (4) requires the development would be consistent with the GMA definition of rural character. Subsection (5) request preservation of at least 85% of the site as rural open space.

30.41H.050 Approval criteria.

To recommend approval of a rural village housing demonstration program development application to the hearing examiner, the department must find that the application meets or can be conditioned to meet the requirements of a preliminary subdivision under 30.41A SCC and of a rural village housing demonstration program application under chapter 30.41H SCC. The hearing examiner may approve a rural village housing demonstration program development application when:

(1) The concurrent preliminary subdivision application complies with the applicable decision criteria in chapter 30.41A SCC;

(2) The development furthers the purpose of chapter 30.41H SCC as described in SCC 30.41H.010;

(3) The development complies with the performance standards of chapter 30.41H SCC;

(4) The development would result in land use or uses consistent with the definition of rural character in RCW 36.70A.030(23); and

(5) The development will preserve at least 85% of the site for resource uses or other types of rural open space as described in SCC 30.41H.080(1).

SCC 30.41H.060 Submittal requirements.

This section provides the submittal requirements for applications using the RVHDP. Without these items, an application would be considered incomplete and not processed until the missing parts are provided. Key submittal requirements include: A project narrative describing how the parts of the submittal fit together and which addresses the GMA definition of rural character. A site plan and building elevation drawings, respectively, that combine to show how the performance standards are being met and how consistency with rural character is retained. A plan for managing open space areas to ensure long term

protection of resource uses and rural character. Details on phasing, signage, and streetlights if applicable.

30.41H.060 Submittal requirements.

In addition to the documents required by the department's submittal checklist for a preliminary subdivision under chapter 30.41A SCC, an application for a rural village demonstration program development must include the following:

(1) A narrative description of how the proposal is consistent with SCC 30.41H.070 - .130.

The narrative document shall also:

(a) Describe how the proposal makes appropriate provisions for the public health, safety, and general welfare; for open spaces, drainage ways, streets, other public ways and safe walking conditions; potable water supplies; sanitary wastes; recreation; fire protection; and other public facilities, if any.

(b) Describe how the proposal will maintain or enhance features that are consistent with rural character as defined in RCW 36.70A.030(23). To demonstrate that a proposal is consistent with the definition of rural character, the narrative shall address each of the following:

(i) How open space, the natural landscape, and vegetation predominate over the built environment;

(ii) How the proposal fosters traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(iii) How the proposal provides visual landscapes that are traditionally found in rural areas and communities;

(iv) How the proposal is compatible with the use of the land by wildlife and for fish and wildlife habitat;

(v) How the proposal reduces inappropriate conversion of undeveloped land into sprawling, low-density development;

(vi) How the proposal does not require the extension of urban governmental services as defined in RCW 36.70A.030(27); and

(vii) How the proposal protects natural surface water flows, and groundwater and surface water recharge and discharge areas.

(c) Describe the post-development view of the site from adjacent roads and properties and how the proposed development maintains existing views. At a minimum, the description of post-development views shall address:

(i) How the proposed site design incorporates existing landscape features such as vegetation, resource-based activities, and structures;

(ii) Where landscape screening is required for compliance with SCC 30.41H.070 and 30.41H.090; and

(iii) For new buildings, what architectural design elements will be incorporated into building design to demonstrate compliance with SCC 30.41H.110.

(2) A rural village housing demonstration project site plan showing the existing character of the site and the proposed character.

(a) To show the existing character, the site plan shall include the following items, as appropriate:

(i) Natural features that distinguish the site or are characteristic of the area;

(ii) The location of existing vegetation and open space;

(iii) Existing structures and landscapes, including buildings, rock walls, fences, storage tanks, and areas of cultivation and plantings typical of rural settlement, such as

windbreaks, hedgerows, orchards, and agricultural fields;

(iv) Uses on adjacent properties, including location of houses; and

(v) The location and the approximate size of natural resource lands subject to chapters 30.32A, 30.32B, or 30.32C SCC on the project site and adjacent properties.

(b) To show the proposed character, the site plan shall include the following, as appropriate:

(i) Which existing character-defining features identified pursuant to SCC 30.41H.060(2)(a) will be maintained or enhanced by the proposed development;

(ii) Location of all proposed open space tracts and their intended use;

(iii) Where existing vegetation will be retained and new plantings are proposed to demonstrate compliance with SCC 30.41H.070(1) and .090; and

(iv) The location of each proposed building footprint.

(3) Building elevation drawings or sketches of typical buildings providing sufficient detail to demonstrate compliance with the architectural performance standards in SCC 30.41H.110.

(4) An open space and common area management plan consistent with SCC 30.41H.130.

(5) A phasing plan with a description and proposed schedule for phasing of the project, if phased development is proposed.

(6) A sketch and general description of any proposed entrance sign or gate, including approximate dimensions and materials.

(7) A street lighting plan, if streetlights are proposed.

SCC 30.41H.070 Site planning principles.

This section provides site planning principles related to the visual and open space aspects of rural character. Although some parts of these principles are subjective, the application must demonstrate compliance PDS to recommend approval and for the Hearing Examiner to grant approval.

30.41H.070 Site planning principles.

To preserve rural character, all rural village housing demonstration program applications must comply with the following site planning principles:

(1) *Visual*. To maintain visual aspects of rural character, the post-development view of the site from adjacent roads shall resemble the pre-development view or include vegetative screening and architectural design measures to mitigate visual impacts. This includes incorporating existing landscape features such as vegetation, resource-based activities, and existing rural structures into the site design as much as is practical. The applicant shall propose and explain what architectural elements shall be incorporated into new buildings as part of demonstrating that the post-development view will be rural in character. Where visual screening is required, the view could be obscured by topography, retention of existing vegetation or structures, or by a proposed 20-foot wide Type A landscape buffer meeting the standards in SCC 30.25.017 placed in a location to create a filtered screen between the road and new buildings. An applicant may propose an alternative method of screening for review by the department and approval by the hearing examiner under SCC 30.25.040.

(2) *Open Spaces*. Natural areas, critical areas, and resource-based activities shall be protected in open space tracts. The shape of such tracts shall promote protection of critical areas and habitat or support the long-term use as resource land. Open space tracts may also

be used for other purposes described in SCC 30.41H.080(1) and (2).

SCC 30.41H.080 Performance standards – site design.

This section provides objective requirements affecting the overall site. An RVHDP application must propose protection of at least 85% of the site in permanent open space tracts that support rural character. Open space tracts, such as for private roads, do not count towards the 85%. The maximum density is set at one unit per every 148,148 square feet, which is consistent with the maximum bonus density lot yield calculation for rural cluster subdivisions (RCS). Although the gross density would be the same in both RVHDP and RCS development, RCS only requires protection of between 45% and 65% of the site in open space. Another difference is that the RVHDP would allow some lots to have multiple units on them and other lots to be for non-residential purposes. This ordinance creates an allowable range (10 to 40) units that may be in an individual cluster in the RVHDP. Establishes a 100-foot setback from natural resource lands and requires clusters of housing to be at least 200 feet apart.

30.41H.080 Performance standards – site design.

Rural village housing demonstration program development applications shall comply with the following requirements:

(1) *Rural Open Space*. A minimum of 85% of the site shall be in permanent open space tracts that preserve elements of rural character. These includes tracts that protect habitat, critical areas and buffers, and resource-based activities including agricultural production and working forest lands. The following uses and facilities may be included within the minimum 85% open space requirement:

- (a) Wildlife corridors;
- (b) Nature interpretive areas;
- (c) Bird watching facilities and structures;
- (d) Tree stands, duck blinds, and similar hunting structures if the site does not appear within the No Shooting Areas designation on the No Shooting Areas map for Snohomish County;
- (e) Unimproved trails;
- (f) Public access to shoreline areas subject to the shoreline management program;
- (g) Landscaping areas, including landscaping for screening purposes; and
- (h) Similar natural conservation uses.

(2) *Other Open Space*. Open space tracts that include uses or facilities not described in SCC 30.41H.080(1) shall not be counted towards the 85% permanent open space tract requirement. Examples include, but are not limited to, tracts for private roads, parking areas, or other types of built environment, and narrow strips of land interspersed between residential uses.

(3) *Density and lot yield*. Density and lot yield shall be calculated as follows:

(a) The gross density (maximum number of dwelling units) shall be obtained by dividing the gross site area in square feet by 148,148. Whenever the resulting yield results in a fractional equivalent of 0.5 or more, the yield shall be rounded up to the next whole number; fractions of less than 0.5 shall be rounded down.

(b) A lot may contain non-residential uses or residential uses including individual dwelling units or an entire cluster of dwelling units as described in SCC 30.41H.080(4).

(c) Clusters of dwelling units may be subdivided, including as phased subdivisions, into unit lots per SCC 30.41A.205 if shown on the preliminary plat map submitted under this chapter. Townhouse and duplex dwellings that were shown on the preliminary plat map as multiple units on a single lot may be subsequently subdivided under SCC 30.41A.205 or 30.41B.205.

(d) The number of lots for residential purposes shall not exceed the maximum number of units.

(e) Any lots proposed for non-residential purposes shall be indicated as such on the face of the plat and shall have restrictive covenants preventing placement of dwelling units on the lot.

(4) *Clustering*. Site design shall use clustering of dwelling units to protect critical areas and their buffers, resource-based activities, or other existing features that help maintain and establish rural character on the site.

(a) A rural village housing demonstration program development may contain more than one cluster of dwelling units.

(b) The minimum number of dwelling units in a cluster shall be 10. The maximum number of dwelling units in a cluster shall be 40.

(c) Clusters shall be located a minimum of 100 feet from adjacent natural resource lands subject to chapters 30.32A, 30.32B, or 30.32C SCC.

(d) Clusters shall be separated by open space tracts that create a minimum 200-foot spacing between clusters.

SCC 30.41H.090 Performance standards – landscaping.

This section provides landscaping requirements for the unique elements of the RVHDP and refers to existing landscaping requirements in chapter 30.25 SCC for other landscaping requirements (such as for parking lots, if any). Compliance with this section will provide the requirements necessary for landscape screening to help maintain visual character. These screening requirements are similar to what is required of rural cluster subdivisions and conditional uses in R-5 areas to maintain compatibility with adjacent uses.

30.41H.090 Performance standards – landscaping.

In addition to applicable landscaping requirements under chapter 30.25 SCC, the following additional landscaping is required of rural village housing demonstration development applications to help maintain visual rural character and to mitigate visual impacts. Where the proposal includes new buildings that are 250 feet or less from the external property lines, the applicant must demonstrate how the project will screen the view of the new buildings from adjacent properties or roads. The applicant shall either provide a 20-foot wide Type A landscape buffer meeting the standards in SCC 30.25.017 placed in a location to create a dense sight barrier between the road and new buildings to meet the visual screening requirement or propose alternative screening methods provided that the alternative methods are consistent with the visual site planning principles in SCC 30.41H.070.

SCC 30.41H.100 Bulk Regulations.

This section provides bulk regulations that an RVHDP project could follow instead of the bulk regulations applicable to other types of development. A key provision is the lack of a

minimum lot area or width which allows townhouse units on lots as small as the unit itself. All new residential buildings must be at least 100 feet from the external boundaries of the RVHDP site. All new non-residential buildings must be set back at least 50 feet from external boundaries. Visual aspects of rural character will be maintained because new buildings would be further from adjacent properties than might have been the case if a site were developed using traditional methods. A requirement is included that structures taller than 30 feet be separated from other structures by at least 10 feet. This requires slightly more separation than the minimums for fire code compliance. It also helps create spacing between taller buildings thereby reducing the appearance of structural density on the site.

30.41H.100 Performance standards – bulk regulations.

This section establishes the bulk regulations for rural village housing demonstration development applications and replaces SCC Table 30.23.030 and the reference notes in SCC 30.23.040 for such applications.

(1) The maximum building height is 45 feet subject to the exemptions under SCC 30.23.050(2) or a lesser height where a reduction is required due to shoreline jurisdiction under SCC 30.67.460 or for airport compatibility under SCC 30.32E.060.

(2) There is no minimum lot area or lot width.

(3) The minimum setbacks from external property lines of a rural village housing demonstration development for all new residential buildings is 100 feet.

(4) The minimum setbacks from external property lines of a rural village housing demonstration development for all new non-residential buildings is 50 feet.

(5) The minimum building separation for structures taller than 30 feet is 10 feet.

SCC 30.41H.110 Performance standards – architectural.

This section provides architectural standards for RVHDP projects. The proposed standards require an applicant to demonstrate how the design of their buildings will be compatible with the visual aspects of rural character. The proposed standards also require variation between buildings to avoid a visually repetitive project, but also allow applicants to propose a cohesive overall design.

30.41H.110 Performance standards – architectural.

This section establishes objective architectural requirements to ensure visual compatibility with nearby rural lands.

(1) In the project narrative, the applicant shall identify and describe at least eight rural architectural features that the project proposes to use. The architectural features may be from locations that are in proximity to the project site, and which have rural, agricultural, or forestry land use designations in the comprehensive plan. Traditionally rural architectural features from other areas may also be used as provided below. For this purpose, the following definitions shall apply:

(a) “Rural architectural features” may be either:

(i) Design features on at least three buildings in proximity to the project site; or

(ii) Design features not necessarily found in proximity to the project site, but which nonetheless helps the project provide a visual landscape that is traditional to rural areas and communities. For these design features, the applicant shall provide an explanation of what makes the features traditionally rural in the narrative or other supporting documents.

(b) "Proximity to the project site" means buildings on lands that have rural, agricultural, or forestry land use designations in the comprehensive plan and that are within two miles of the project site. This definition includes buildings already on the project site.

(2) On the rural village housing demonstration project site plan the applicant shall provide a key or other descriptive material showing which rural architectural features are proposed for each building. This information shall demonstrate that:

(a) Each building shall have at least two of the rural architectural features found in proximity to the site;

(b) Side-by-side buildings shall have at least two different rural architectural features; and

(c) While a cohesive overall design is allowed, no more than 20% of the buildings in the proposed development can be visually repetitive. "Visually repetitive" means using the same two rural architectural features and having the same overall design. Buildings that have flipped designs as if mirror images are considered of the same overall design for purpose of this requirement. Buildings with different shapes or sizes that share rural architectural features are not visually repetitive.

(3) The applicant shall submit building elevation drawings or sketches of typical buildings that comply with the requirements of this section.

SCC 30.41H.120 Performance standards – miscellaneous.

This section provides requirements on a variety of topics including phasing, signage, and utilities. Although in some cases these miscellaneous standards are partially redundant to requirements applicable to the concurrent preliminary subdivision application, the phrasing of some, such as for lighting, create additional requirements for RVHDP developments that would not apply to alternative types of development in R-5 zoning.

30.41H.120 Performance standards – miscellaneous.

(1) *Development phases.* Where the development contains more than one phase, all development shall occur in a sequence consistent with the approved phasing plan.

(2) *Restrictive covenants.* Restrictive covenants shall be provided. These covenants shall:

(a) Ensure the long-term maintenance and upkeep of landscaping, storm drainage facilities, other private property improvements, and open space areas and facilities;

(b) Prevent placement of residential uses on any lots created for non-residential purposes; and

(c) Provide a mechanism to assure that required open space is permanently protected and maintained pursuant to the open space management plan.

(3) *Homeowners' Association.* A homeowners' association is required for purposes of tract ownership and maintenance of tracts, exteriors of attached dwellings, and other common areas. The homeowners' association shall be responsible for the maintenance and protections required in the restrictive covenants and be in compliance with SCC 30.41A.675.

(4) *Signs.* Signs shall incorporate materials typical of the rural character of the area and shall comply with all applicable provisions of SCC 30.27.060.

(5) *Fire flow.* The development shall be located in a rural fire district and is required to provide adequate fire flow in accordance with SCC 30.53A.514 - .520 or to provide other

means of fire protection as approved by the Snohomish County Fire Marshal, unless exempt under SCC 30.53A.514.

(6) *Public water.* The development shall draw water supply from a public water system.

(7) *Lighting.* Lighting shall be low intensity and shall be projected downward, with full cut-off illumination that shields light from being emitted upwards toward the night sky or surrounding natural areas.

(8) *Electric and other utility lines and support infrastructure* shall be located underground.

(9) *Sanitary sewer.* The development is prohibited from connecting to public sanitary sewers.

SCC 30.41H.130 Management plan for open space and common areas.

This section would require an applicant to prepare a plan for managing the open space and common areas. Like covenants for the development, an applicant will need to record this plan with the County Auditor. The plan itself must clearly identify who has what responsibilities managing and maintaining open space and common areas.

30.41H.130 Management plan for open space and common areas.

The applicant shall provide a management plan for the long-term maintenance and operations of open space and any other common areas. Management includes maintenance and operation of any water supply, stormwater facilities, wastewater disposal, private roads, and other common facilities which may be located in commonly held tracts or easements.

(1) A management plan for open space and common areas shall include the following information:

(a) Current ownership information and a plan or provisions to update the project file when ownership contact information changes;

(b) Parties responsible for maintenance of designated open space, their contact information, and a description of required maintenance;

(c) Description of any uses allowed in designated open space, consistent with SCC 30.41H.080;

(d) Any proposed development activities;

(e) Fire breaks provided in accordance with fire district requirements;

(f) Any covenants, conditions, and restrictions to be recorded related to open space and common areas management; and

(g) Other information that the director determines necessary to ensure proper management of the open space and common areas.

(2) The management plan must be approved by the director and shall be recorded as a separate document from the subdivision. The recording number shall be referenced on all property deeds arising from the subdivision. Copies of the management plan shall be provided to property owners with ownership documents.

(3) In approving the management plan, the director shall make a written finding that the parties designated as responsible for maintenance of designated open space are clearly identified, that provisions are included in the plan for succession to other qualified and capable parties should that become necessary, and that the county is indemnified should the responsible parties not fulfill their management obligations.

30.41H.140 Sunset.

The sunset provision would automatically repeal the RVHDP six years after adoption. Six years would cover the two years an applicant has to apply plus the four years they have to receive approval. Extending the program beyond six years would require a later action by the County Council.

30.41H.140 Sunset.

Snohomish County Code chapter 30.41H, adopted by Ordinance 23-051 on ____ ____, 2023, is repealed effective six years from date of adoption.

30.86.150 Rural Village Housing Demonstration Program Fees.

This section in the chapter 30.86 SCC (Fees) would provide the new fees that applicants would need to pay for RVHDP participation. These fees are structured similarly to subdivision fees and would be in addition to the fees charged for the concurrent preliminary subdivision application. The amounts proposed reflect the estimated cost for staff to review an RVHDP application. The last part of this section includes language to repeal these fees at the same time as the overall RVHDP would sunset.

30.86.150 Rural Village Housing Demonstration Program Fees.

Rural village housing demonstration program applicants shall pay the following fees in addition to the subdivision fees in SCC 30.86.100 and other fees that may apply.

Table 30.86.150 Rural Village Housing Demonstration Program Fees

Base fee	\$5,000
Plus per dwelling unit	\$100
Plus per acre	\$50
Markup correction fee ⁽¹⁾	\$500
Extension fee ⁽²⁾	\$500
Minor revision-administrative	\$1,000
Major revision-public hearing	\$2,000
(1) This fee applies whenever an applicant fails to submit required corrections noted on review comments or markups on drawings.	
(2) This fee applies to an extension request for the rural village housing demonstration program approval period and is in addition to the fee for an extension request associated with the preliminary subdivision approval period.	

Snohomish County Code 30.86.150, adopted by Ordinance 23-051 on ____ ____, 2023, is repealed, effective on the date six years following enactment.

Attachment B: Housing Affordability

The state legislature significantly strengthened the housing goal and related of Growth Management Act (GMA) requirements in 2021. The goal for housing now reads:

Goal 4. Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Engrossed Second Substitute House Bill 1220 ([ESSHB 1220](#)) added the “plan for and accommodate housing affordable to all economic segments” language. Previously the goal was simply to “encourage the availability of affordable housing.” Jurisdictions must now take more concrete measures to plan for and accommodate affordable housing. ESSHB 1220 expanded the income band for “affordable” to include those earning up to 120% of area median income. ESSHB 1220 also added further GMA guidance that jurisdictions must identify “local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing” and that when zoning is found “that may have a discriminatory effect” the jurisdiction have responsibility to implement “regulations to address and begin to undo ... exclusion in housing” ([RCW 36.70A.070\(2\)](#)).

R-5 zoning currently allows single-family detached, duplex, and mobile home dwellings. Although duplexes and mobile homes are generally more affordable than detached single family homes, the trend has been towards an increasing share of detached single-family homes in the rural areas. According to the Snohomish County Tomorrow 2020 Growth Monitoring Report (2020 GMR), single-family homes represented 94.2% of all new housing units permitted in rural areas between 1990 and 2019. Mobile homes accounted for 5.5% of the total and duplexes just 0.4%. During this same period, the overall number of units permitted each year generally declined (which was in line with policy to reduce overall rural growth). The proportion of mobile homes in the overall total also generally fell over time.¹

To the extent that mobile homes and duplexes represent housing affordable to income groups below 120% of area median, the declining share and number of mobile home and attached duplex units could represent an exclusionary effect of rural policy and zoning regulations. Since attached housing is generally more affordable than detached housing, the proposed RVHDP provisions would likely help address housing affordability and economic exclusion in rural areas.

Rather than simply promote more housing in rural areas to help meet demand, the proposed RVHDP would allow the same number of units but as different types of housing. This is to balance housing affordability with rural character and other related GMA requirements discussed next in Attachment C.

¹ Snohomish County Tomorrow [2020 Growth Monitoring Report](#), especially page 146. Note that this GMR data includes rural and resource zones other than R-5, however, R-5 is the dominant zoning outside urban areas.

Attachment C: Rural Character

The Growth Management Act requires counties to include a rural element in their local comprehensive plan (RCW 36.70A.070(5)). This element must protect rural character, which GMA defines in RCW 36.70A.030(23) as a pattern of land use and development established by a county in the rural element of its comprehensive plan.

Snohomish County's comprehensive plan includes a rural element, but it does not affirmatively define rural character. Instead, the Snohomish County rural element partially defines local rural character by identifying some aspects of what rural character is not. This ambiguity is reflective of reality. Many parts of Snohomish County outside urban areas are agricultural or have large lot residential uses that are clearly rural in character. However, the pattern of land use and development in non-urban areas includes several unincorporated communities resembling towns. Other areas such as around lakes include homes on small lots that do not easily fit a rural idyll, but which are nonetheless an established part of the rural character of Snohomish County. The rural character of Snohomish County is not monolithic. Instead, Snohomish County's rural areas are home to a complex mosaic of individual expression and lifestyles.

The GMA defined rural character as:

[T]he patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

The proposed RVHDP would clearly be consistent with four of the seven defined elements of rural character. For the remaining three, the RVHDP includes provisions, including with amendments proposed by the Planning Commission, to address potential shortcomings and to ensure that development proposals that meet the performance standards in the RVHDP will be consistent with Rural character.

Part (a). Would open space, the natural landscape, and vegetation predominate over the built environment in a project following the RVHDP standards?

Proposed SCC 30.41H.080 would require preservation of a minimum 85% of the site in large rural open space tracts that would protect the natural habitat, managed vegetation such as farms or working forests, and other unbuilt areas. This leaves a maximum of 35% of the site for use by roads, housing, and other components of the built environment. GMA does not provide guidance on how much more than 50% open space must be to “predominate” over the built environment.

The RVHDP would provide more open space than other long-established types of development in rural areas. The RVHDP would therefore be consistent with Part (a) of the GMA definition of rural character because open space, natural landscape, and vegetation would predominate over the built environment.

Part (b). Does the RVHDP adequately foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas?

By encouraging preservation of resource-based activities such as farming and forestry, the RVHDP would help maintain the rural resource-based economy. Housing types under the program could be single-family homes or duplexes, which are already traditional in rural areas, or housing could also be in three- and four-unit building which are less traditional. Although small multifamily structures may not be typical, attached farmworker housing is a traditional part of the rural lifestyle. As proposed, the program would not require occupants to be employed in the rural economy, but the choice to live in a rural area near resource-based activities is a part of the rural lifestyle. Proposed provisions in SCC 30.41H.060(1)(c)(iii) and 30.41H.070(1) require the applicant to explain what traditionally rural architectural design elements are proposed for the housing to help ensure that the specific proposal would foster a traditional rural lifestyle even though it is not common to find buildings with three or four units in rural areas.

Consistency with Part (b) of the GMA definition of rural character requires a subjective interpretation. To ensure against misuse of the proposed flexibility, the proposal requires applicants to explain how their project fits with traditional rural lifestyles. The Hearing Examiner would then make a determination of compliance based on the standard as applied to project specifics. Through this process, the RVHDP is intended to ensure consistency with Part (b).

Part (c). Does the RVHDP adequately provide visual landscapes that are traditionally found in rural areas and communities?

By preserving rural resource activities that would typically be lost to other forms of permitted rural development, the RVHDP would help preserve the presence of farming and forestry,

both of which are traditional parts of rural areas and communities. While three- and four-unit housing options are not something regularly seen in rural areas, as described for Part (b) above, the program requires applicants to address visual impacts by using architectural elements that are traditional to rural areas. Further, the proposed SCC 30.41H.060(1)(c) requires the applicant to explain how the post-development view of the site would appear and SCC 30.41H.090 would require landscaping and screening to help maintain visual character. Landscape screening is an established tool often used visual compatibility for development in rural areas such as for rural cluster subdivisions and conditional uses in rural areas.

Consistency with Part (c) is a subjective interpretation. The Planning Commission agreed that the proposal adequately ensures a rural visual landscape. The proposed process to maintain traditionally rural visual landscapes would rely on a Hearing Examiner to determine compliance based on applying the standard to project specifics.

Part (d). Is the RVHDP compatible with the use of the land by wildlife and for fish and wildlife habitat?

Any proposal to use the RVHDP will be subject to Chapter 30.62A SCC, which requires protection of wetlands and fish & wildlife habitat conservation areas. Other requirements such as the drainage and land disturbing activity requirements of SCC 30.63B and 30.63C, respectively, would also apply. Taken together, compliance with existing provisions in county code should provide adequate protection and mitigation for development using the program. On a project level basis, this would take place through the state environmental policy act (SEPA) review process in Chapter 30.61, which would apply to any RVHDP project with at least 25 units (SCC 30.61.035(1)(b)).

The provisions to protect fish and wildlife cited above are adequate for general protections in rural areas for purposes of the proposed new program. The SEPA review process would ensure specific review and application of protection for individual development applications. Together, these aspects of the proposal demonstrate consistency with Part (d) of the GMA definition of rural character. The RVHDP is compatible with the use of the land by wildlife and for fish and wildlife habitat.

Part (e). Would the RVHDP reduce the inappropriate conversion of undeveloped land into sprawling, low-density development?

A major purpose of the RVHDP is to help preserve agricultural and forestry land from conversion into housing, which is part of reducing conversion of undeveloped land. GMA does not define sprawl or low-density development. Having undefined terms requires that local jurisdictions interpret such terms consistent with local circumstances. GMA presumes that regulations adopted to further local comprehensive plans "are presumed valid" with limited exceptions (RCW 36.70A.320). For Snohomish County, the land use designations implemented by R-5 zoning have been adopted to prevent sprawl. Densities within R-5 vary depending on different types of development. For example, some subdivisions have

standard 5-acre lots.² Rural Cluster subdivisions include density bonuses that allow a maximum lot yield of one lot per every 148,148 square feet or one lot per every 3.4 acres. This rural cluster lot density maximum is an established part of development in Snohomish County's rural areas. The RVDHP proposes to incorporate that same maximum density as rural cluster subdivisions but counted as maximum units instead of maximum lots (SCC 30.41H.080(3)).

The discussion about density so far has been about gross density (units across an entire site). Net density is a measure of apparent density in the built portion of a site. Definitions of net density vary depending on the context and what one measures as the built portion of a site. As proposed in the RVHDP, the apparent net densities in its clusters would be higher than the apparent net density of a rural cluster subdivision. This is because the RVHDP would allow attached housing (SCC 30.41H.030(2)) and detached housing on smaller footprints (SCC 30.41H.110) than the minimum 20,000 square foot lots that rural cluster subdivisions require (SCC 30.41C.130).

The GMA and Snohomish County policies for rural areas do not distinguish between gross and net densities. Therefore, to the extent that existing rural cluster densities are acceptable in rural areas, so too would be the allowances for a gross density of one unit for every 148,148 square feet in the RVHDP. Although net density could be a potential concern for consistency with rural character, the main purpose of Part (e) is to reduce conversion on undeveloped land into other uses. This staff report notes that the ordinance includes Findings D.5 and D.6 that the apparent higher net density that clusters of attached housing would produce is properly considered as part of the visual landscape compliance in Part (c). The Planning Commission discussed the issues of net vs gross density and passed an amendment to increase the minimum open space requirements to 85% from 65%, although doing so would increase the apparent net density on the buildable area. Stated differently, the Planning Commission was gross density and not about net density as an important feature of rural character.

Part (f). Would the RVHDP avoid requiring the extension of urban governmental services?

In short, "no", the RVHDP would not require extension of urban governmental services to rural areas. GMA defines both urban governmental services or "urban services" and rural services as follows:

² More accurately, a standard subdivision in R-5 can be developed at one lot for every 200,000 square feet, or every 4.6 acres. Snohomish County has long defined "five acres" as meaning 200,000 square feet (SCC 30.91F.340) when it comes to subdivisions, even though five acres is otherwise 217,800 square feet. This is because some rural areas were divided into lots that did not make provisions for roads. After dedicating a portion of such lots for road purposes, the 200,000 square foot definition was adopted so that the slightly reduced lots would still be considered standard lots in the R-5 zone.

RCW 36.70A.030(27): "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

RCW 36.70A.030(25): "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

Sanitary sewers and municipal stormwater systems are key urban services that are not rural services. The RVHDP would not allow use of sanitary sewers, nor would it require connection to a municipal stormwater system. Most other types of governmental services overlap; and the main difference is in levels of service. Public transit is an example of a service for both urban and rural areas, but it is one where the level of service in urban areas is much higher and rural service, where it exists, mainly serves to connect urban areas separated by rural lands.

The RVHDP does not allow connection to sanitary sewers or municipal stormwater systems. Provision of other types of governmental services would be rural levels. Based on this, the RVHDP would not require extension of urban governmental services.

Part (g). Would the RVHDP be consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas?

Like all development, any application under the RVHDP must demonstrate compliance with Chapters 30.62C (Critical Aquifer Recharge Areas), 30.63A (Drainage) and 30.63B SCC (Land Disturbing Activity). Taken together, these provide for the protection of natural surface water flows and ground and surface water recharge and discharge areas. The RVHPD is thus consistent with Part (g) of the GMA definition of rural character.

Attachment D: Analysis of Specific Policies

The Rural Village Housing Demonstration Program would allow development of additional types of housing on applicable R-5 zoned sites in the rural areas. This would be in exchange for preservation of large tracts of rural open space. What follows is a discussion of existing policies that relate to the proposed program. Some policies support the program. Other discussion addresses how specific provisions in the program will avoid conflict with the identified policies.

Regional Policies. Snohomish County is party to an interlocal agreement with Puget Sound Regional Council (PSRC), which covers Snohomish, King, Pierce and Kitsap counties. This agreement obligates the County to adopt growth management policies and codes that are consistent with PSRC's Vision 2050 plan and the Multicounty Planning Policies (MPPs) in it. Policies in Vision 2050 that this ordinance supports include:

- MPP RGS-14:³ “Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.”

The RVHDP includes specific requirements to maintain rural landscapes and lifestyles by specifically encouraging protection of resource activities that would likely otherwise see replacement by rural residential uses. It would also help achieve a reduction in rural growth rates by allowing for attached housing to substitute for detached housing through use of the program. According to the 2021 Buildable Lands Report,⁴ the average household size for detached single family units is assumed to be 3.00 people per unit, whereas the average household size for townhouse units is assumed to be 2.65. Suppose a 341-acre tree farm with R-5 zoning became available for development. This site could support 100 detached homes as a Rural Cluster Subdivision, in which case the estimated population would be 300 at full occupancy. The same site could develop under the RVHDP with 100 townhomes and would have an estimated population of 265, or roughly 11% fewer

³ This response to MPP RGS-14 is equally valid as a response to GPP Objective LU 6.A which reads “Reduce the rate of growth that results in sprawl in rural and resource areas.”

⁴ See page 26 of the 2021 BLR at <https://snohomishcountywa.gov/DocumentCenter/View/84919/Letter-to-Dept-of-Commerce---Snohomish-County-Buildable-Lands-Report?bidId=>.

people with the same number of units.⁵ In addition to having fewer residents, an RVHDP development on this hypothetical tree farm would result in larger tracts of rural land that could be replanted for future harvest.

- MPP Ec-23: “Support economic activity in rural and natural resource areas at a size and scale that is compatible with the long term integrity and productivity of these lands.”

The RVHDP would help preserve resource-based economic activity on tracts of natural resource uses activity on sites zoned for rural residential uses by allowing the housing to be developed on as small of a footprint as possible.

- MPP H-2: “Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.”

The RVHDP would allow a wider range of housing types and choices in rural areas. This would help address the exclusionary effects of the (mostly) single-family uses authorized in R-5 zoning while, at the same time, limiting the total number of units allowed to the same number possible with other development types so that the result does not hinder the county’s ability to achieve a reduction in overall rural growth rates.

- MPP H-9 that calls for jurisdictions to “Expand housing capacity for moderate density housing to bridge the gap between single-family and more intensive multifamily development and provide opportunities for more affordable ownership and rental housing that allows more people to live in neighborhoods across the region.”

The proposed ordinance would increase capacity for moderate density housing and provide more affordable housing options in rural areas.

Countywide Planning Policies (CPPs). The Growth Management Act requires counties to adopt CPPs that guide growth in cities and unincorporated areas. These contain guidance to Snohomish County on how to implement the policies adopted by PSRC and meet requirements in GMA. CPPs that support the RVHDP include:

⁵ The 2021 BLR also incorporates assumptions for occupancy rates that vary for some housing types. The BLR assumes a 96% occupancy rate for both single-family detached units and townhomes, and so would have no effect on the estimated 11% population difference.

- CPP-DP-31: “The County shall develop strategies and programs to support agricultural and forest activities. (a) Strategies should reduce pressure to convert resource and rural lands with resource-based activities to non-resource uses... Strategies may include redesignation of rural land to resource land...”

The RVHDP and its specific code provisions are proposed to reduce pressure to convert rural lands with resource-based activities to non-resource uses.

- CPP ED-9: “As appropriate, the County and cities should adopt plans, policies, and regulations that preserve designated industrial, commercial, agricultural, and resource land base for long-term regional economic benefit.”

The RVHDP would be an example of a regulation that helps protect the agricultural and resource land base for long-term regional economic benefit.

General Policy Plan (GPP). Snohomish County’s policies specific to unincorporated areas are in the General Policy Plan which is a major element of its GMA Comprehensive Plan. Policies in the GPP guide codes and regulations adopted in Snohomish County Code Title 30, which is where the proposed amendments would take place. GPP policies that support the proposed changes include:

- GPP Goal LU 6: “Protect and enhance the character, quality, and identity of rural areas.”

The RVHDP includes performance standards to protect and enhance rural character. At SCC 30.41H.060(1) it requires the applicant to provide a project narrative that specifically responds to each of the elements of rural character defined in RCW 36.70A.030(23). The process set up on the RVHDP would have county staff review the applicant’s proposal and the Hearing Examiner would decide whether the proposal meets the test of consistency with rural character.

- GPP Policy LU 6.B.1: “Use of a clustering subdivision technique should be encouraged by the County in rural residential areas to 1) preserve the rural character of Snohomish County; 2) avoid interference with resource land uses; 3) minimize impacts upon critical areas; 4) allow for future expansion of the UGAs, where appropriate, and 5) support the provision of more affordable housing in rural areas. The primary benefit of clustering is the preservation of open space. Modest density incentives should be provided in a manner which encourages use of the technique and maximum preservation of open space and maintenance of rural character. The open space tracts in rural cluster subdivisions shall be preserved in perpetuity[...].” The RVHDP is a type of clustering technique that achieves everything but 4) in this policy. There is no effect on 4) because the allowance for future expansion of urban growth areas relates to development areas designated as Rural/Urban Transition

Areas (RUTAs) and proposed language in SCC 30.41H.020(1) specifically provides that areas with RUTA designations are not eligible to use the RVHDP.

- GPP Policy 6.B.2: “The retention of small forest, farming, horse farm and other livestock based farm operations and hobby farms shall be encouraged in rural areas.”

The RVHDP would be a mechanism to preserve forestry and farming on sites with rural residential zoning.

- GPP Objective HO 1.B: “Ensure that a broad range of housing types and affordability levels is available in urban and rural areas.”

The RVHDP would increase the range of housing types available in rural areas. Since the proposed allowance for attached housing is generally more affordable than detached housing, the increased range of housing types would help ensure more relatively affordable housing.

- GPP Policy HO 1.B.4: “The county shall encourage and support the development of innovative housing types that make efficient use of the county land supply such as residential units in mixed-use developments, accessory dwelling units, cottage housing, co-housing, and live/work units.”

The RVHDP would support the development of innovative housing types in the rural area by allowing buildings with up to four attached units. Although not required, such units may be part of a co-housing development that includes shared communal facilities.

- GPP Objective ED 6.A: “Provide policies and programs to help ensure the sustainable use of timber, agricultural, and mineral resources as well as recycled resources.”

The RVDHP is a program designed to help ensure sustainable use of timber and agricultural resources by providing a mechanism to save these resources in areas otherwise zones for rural residential development.